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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re	:	Chapter 11
	:	
LEHMAN BROTHERS HOLDINGS INC., <u>et al.</u> ,	:	Case No. 08-13555 (JMP)
	:	
Debtors.	:	(Jointly Administered)
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**FOURTH SUPPLEMENTAL DECLARATION OF
PATRICK J. TROSTLE IN CONNECTION WITH
EXAMINER'S APPLICATION TO RETAIN JENNER & BLOCK LLP**

I, Patrick J. Trostle, pursuant to 28 U.S.C. § 1746, hereby declare that the following is true to the best of my knowledge, information, and belief:

1. I am a partner of Jenner & Block LLP ("Jenner & Block" or the "Firm"), a law firm with offices in Chicago, Illinois; New York, New York; Washington, D.C.; and Los Angeles, California. I am currently resident in the Firm's New York office. I am duly authorized to make this Declaration (the "Fourth Supplemental Declaration") on behalf of Jenner & Block. Except as otherwise indicated, the facts set forth in this Fourth Supplemental

Declaration are personally known to me and, if called as a witness, I could and would testify thereto.

2. I submit this Fourth Supplemental Declaration in connection with the Application of the Examiner for Order Authorizing the Retention and Employment of Jenner & Block as His Counsel *Nunc Pro Tunc* as of January 19, 2009 (the “Application”), which was filed on January 23, 2009 [Docket No. 2627] in the above-captioned Chapter 11 cases (the “Chapter 11 Cases”) of Lehman Brothers Holdings, Inc. and its affiliated debtors (collectively, the “Debtors”)¹ and made pursuant to 11 U.S.C. §§ 105(a) and 327 and the Court’s Order Directing Appointment of an Examiner Pursuant to Section 1104(c)(2) of the Bankruptcy Code, entered January 16, 2009 (the “Examiner Order”). In support of the Application, I filed an initial declaration (the “Initial Declaration”), dated January 23, 2009, disclosing connections with certain identified persons and entities. On February 11, 2009, the Court entered an order granting the Application [Docket No. 2803].

3. On May 28, 2009, November 6, 2009, and April 9, 2010, I filed supplemental declarations (the “Supplemental Declarations”) disclosing additional connections with certain of the originally identified parties and supplemental identified parties [Docket Nos. 3676, 5752, 8198]. Subsequent to the filing of the Application, the Initial Declaration, the Supplemental Declarations, Jenner & Block has continued to monitor new client matters at the firm and

¹In addition to LBHI, the following entities are debtors in the Chapter 11 Cases: LB 745 LLC; PAMI Statler Arms LLC; Lehman Brothers Commodity Services Inc.; Lehman Brothers Special Financing Inc.; Lehman Brothers OTC Derivatives Inc.; Lehman Brothers Derivative Products Inc.; Lehman Commercial Paper Inc.; Lehman Brothers Commercial Corporation; Lehman Brothers Financial Products Inc.; Lehman Scottish Finance L.P.; CES Aviation LLC; CES Aviation V LLC; CES Aviation IX LLC; East Dover Limited; Luxembourg Residential Properties Loan Finance S.a.r.l.; BNC Mortgage LLC; Structured Asset Securities Corporation; LB Rose Ranch LLC; LB 2080 Kalakaua Owners LLC; Merit LLC; LB Somerset LLC; LB Preferred Somerset LLC.

whether such new matters have any connections with any of the previously identified parties.

Jenner & Block also has conducted searches to determine whether Jenner & Block and its partners, attorneys, or counsel have any connections with persons and entities that subsequently have been identified, as potential parties in interest in the Chapter 11 Cases, by counsel to the Debtors (such persons and entities, the “Supplemental Identified Parties”). The list of Supplemental Identified Parties is attached hereto as Exhibit 1.

4. On July 13, 2010, the Court entered an Order Discharging Examiner and Granting Related Relief (the “Discharge Order”) [Docket No. 10169]. Among other things, the Discharge Order terminated the appointment of the Examiner and discharged the Examiner and his professionals except as otherwise set forth in the Discharge Order. Because the Examiner and his professionals have certain ongoing obligations, duties, or responsibilities under the Discharge Order, the United States Trustee informed Jenner & Block that the firm should continue to submit supplemental declarations of disinterestedness until all services performed by, and on behalf of, the Examiner are complete.

Jenner & Block’s Disinterestedness and Supplemental Disclosure of Connections

5. In preparing this Fourth Supplemental Declaration, and in order to ascertain Jenner & Block’s “connections,” as that term is used in Bankruptcy Rule 2014 with the Supplemental Identified Parties and to update any new “connections” with previously identified parties, I caused a set of procedures developed by Jenner & Block to be used to ensure full compliance with the requirements of the Bankruptcy Code, the Bankruptcy Rules, and any local rules of the Court regarding the retention of professionals under the Bankruptcy Code (the “Firm Disclosure Procedures”). Pursuant to the Firm Disclosure Procedures, I performed, or caused to be performed, the following actions to identify Jenner & Block’s connections to the Supplemental Identified Parties and to update any new connections with previously identified

parties, which new connections have arisen from recent new client representations undertaken by Jenner & Block:

- a. Jenner & Block entered the names of the Supplemental Identified Parties into a computer database containing the names of all clients and conflict information concerning such clients of Jenner & Block. Through the information generated from this computer inquiry, an inquiry distributed via electronic mail to all attorneys, and follow-up inquiries with Jenner & Block attorneys, it was determined that Jenner & Block represents no party adverse to the Debtors or the Debtors' estates with respect to matters for which Jenner & Block has been retained, except as identified in the Initial Declaration, the Supplemental Declarations, or herein. None of Jenner & Block's representations constitute a conflict with Jenner & Block's representation of the Examiner or will likely create a conflict in the future.
- b. For recent new client representations, Jenner & Block entered the new client names into the firm's computer database containing the names of all previously identified parties and the Supplemental Identified Parties. Through information generated from this computer-inquiry and through follow-up inquiries with Jenner & Block attorneys, it was confirmed that Jenner & Block's representation of the new client would not conflict with Jenner & Block's representation of the Examiner in these Chapter 11 Cases and will not likely create a conflict in the future.

6. Based upon the results of the Firm Disclosure Procedures, I respectfully represent that Jenner & Block, its partners, attorneys, or counsel do not have any connections with any of Supplemental Identified Parties or previously identified parties, and do not have any interest materially adverse to the interests of the estates of any of the Debtors, or any class of creditors or equity security holders of any of the Debtors, by reason of any direct or indirect relationship to, connection with, or interest in, any of the Debtors, or for any other reason, except as set forth in the Initial Declaration, the Supplemental Declarations, and herein.

7. As previously disclosed in the Initial Declaration and the Supplemental Declarations, Jenner & Block, its partners, attorneys, and counsel have represented in the past, may currently represent, and/or may in the future represent, creditors of the Debtors and various other parties-in-interest in these Chapter 11 Cases with respect to matters which are completely

unrelated to the Debtors and their affiliates. Jenner & Block's, its partners', attorneys', and counsels' supplemental disclosure of connections with these creditors and other parties-in-interest are described below.

Party in Interest	Relationship with Debtors	Relationship with Jenner & Block
Accenture LLP	Potential Party in Interest	Current client on unrelated matter
Accredited Home Lenders, Inc.	Potential Party in Interest	Affiliate of current client on unrelated matter
AON Consulting	Potential Party in Interest	Affiliate of current client on unrelated matter
AXA Wholesale Australian Fixed Interest Fund	Potential Party in Interest	Affiliate of former client on unrelated matters
Booz Allen Hamilton Inc.	Potential Party in Interest	Current client on unrelated matter
CCMP Acquisition	Potential Party in Interest	Affiliate of current client on unrelated matter
City of Chicago	Potential Party in Interest	Current client on unrelated matters
Evergreen Investment Management Company, LLC	Potential Party in Interest	Affiliate of current client on unrelated matter
Fir Tree Capital Opportunity Master Fund, L.P.	Potential Party in Interest	Affiliate of current client on unrelated matter
Fir Tree Value Master Fund, L.P.	Potential Party in Interest	Affiliate of current client on unrelated matter
FKA Countrywide Home Loans Servicing, LP	Potential Party in Interest	Affiliate of former client on unrelated matter
Galliard Capital Management	Potential Party in Interest	Affiliate of current client on unrelated matter
Highland Capital Management, L.P.	Potential Party in Interest	Current client on unrelated matter
Highland CDO Opportunity Master Fund, LP	Potential Party in Interest	Affiliate of current client on unrelated matter
Highland Credit Strategies Fund	Potential Party in Interest	Current client on unrelated matter
Highland Floating Rate Advantage Fund	Potential Party in Interest	Current client on unrelated matter
HSBC Bank USA, NA	Potential Party in Interest	Current client on unrelated matter

Hunton & Williams LLP	Professionals Employed by the Company	Current client on unrelated matter
International Union of Operating Engineers-Employers Construction Industry Retirement Trust	Potential Party in Interest	Affiliate of former client on unrelated matter
King Street Acquisition Company, LLC	Potential Party in Interest	Affiliate of current client on unrelated matter
King Street Capital Management, L.L.C.	Ad Hoc or Unofficial Creditors' Committee Members	Current client on unrelated matter
King Street Capital Master Fund, Ltd.	Potential Party in Interest	Current client on unrelated matter
King Street Capital, L.P.	Potential Party in Interest	Current client on unrelated matter
Mariner LDC	Potential Party in Interest	Affiliate of former client on unrelated matter
Massachusetts Mutual Life Insurance (Borrower)	Potential Party in Interest	Affiliate of current client on unrelated matter
Mayer Brown, LLP	Potential Party in Interest	Current client on unrelated matter
Merrill Lynch, Pierce, Fenner & Smith, Inc.	Potential Party in Interest	Affiliate of current client on unrelated matter
Nomura Securities Co., Ltd.	Potential Party in Interest	Affiliate of current client on unrelated matter
Och-Ziff	Potential Party in Interest	Current client on unrelated matter
Oppenheimer Funds, Inc.	Ad Hoc or Unofficial Creditors' Committee Members	Affiliate of current client on unrelated matter
Oz Management LP	Potential Party in Interest	Affiliate of current client on unrelated matter
OZ Special Master Fund, Ltd. c/o Och-Ziff Capital Management Group	Potential Parties in Interest	Affiliate of current client on unrelated matter
Providence Equity Partners IV LP	Potential Parties in Interest	Affiliate of former client on unrelated matter
Prudential Financial Inc.	50 Largest Bond Holders	Current client on unrelated matter
Regions Bank	Potential Party in Interest	Current client on unrelated matter
Siemens/Convertibles Global Markets Trading As Innovest European	Potential Parties in Interest	Affiliate of former client on unrelated matter

Silver Point Capital, L.P.	Potential Party in Interest	Current client on unrelated matter
Sony Corporation	Affiliations of Outside Directors	Affiliate of current client on unrelated matter
Stonehill Institutional Partners, LP	Potential Parties in Interest	Affiliate of current and former client on unrelated matters
Strategic Value Master Fund, Ltd.	Potential Party in Interest	Affiliate of current client on unrelated matter
TAC Americas, Inc.	100 Largest Holders of Trade Debt	Affiliate of current client on unrelated matter
TCW Absolute Return Credit Fund, LP	Potential Parties in Interest	Affiliate of former client on unrelated matter
Vanguard Fiduciary Trust Company Asset-Backed Securities Trust	Potential Parties in Interest	Affiliate of current and former client on unrelated matters
Wachovia Bank	Potential Party in Interest	Affiliate of current client on unrelated matter
Wachovia Securities Ltd.	Potential Party in Interest	Affiliate of current client on unrelated matter
Walton Street Capital	Principal Investments	Current client on unrelated matters
Wells Fargo & Co.	Potential Party in Interest	Affiliate of current client on unrelated matter
Wells Fargo Bank Minnesota	Potential Party in Interest	Affiliate of current client on unrelated matter
Wells Fargo Bank, N.A.	Potential Party in Interest	Current client on unrelated matter
Zurich American Insurance Company	50 Largest Bond Holders	Affiliate of current client on unrelated matter
Zurich Capital Markets Company	Counterparty	Current client on unrelated matter

8. In addition to the foregoing, after the conclusion of the Examiner's investigation and the submission of the Examiner's report, Jenner & Block has provided government contracts counseling advice to the Schafer Corporation, which is an entity in which a Citigroup affiliate has made an investment. Jenner & Block's representation is explicitly limited to the Schafer Corporation and does not include any of the corporation's parents, subsidiaries, affiliated entities, shareholders, partners, directors, officers, agents, or employees, including Citigroup and

its other affiliates and investments. This representation is unrelated to these Chapter 11 Cases and unrelated to anything within the subject matter and scope of the Examiner's investigation and report.

9. Jenner & Block also serves as conflicts counsel for Truvo USA, LLC and several affiliated entities, which filed a Chapter 11 bankruptcy petition with the Bankruptcy Court for the Southern District of New York on July 1, 2010. Lehman Commercial Paper, Inc. ("LCPI") is a creditor in the Truvo bankruptcy cases. The subject matter of any disputes between the Truvo debtors and LCPI is unrelated to anything within the subject matter and scope of the Examiner's investigation and report.

10. As noted in prior declarations, Jenner & Block represents General Electric Company ("GE") in a number of matters. Jenner & Block represents a wholly-owned subsidiary of GE with respect to a senior preferred investment in LB/LR 230 Park JV, LLC. I understand that 230 Park LB Mezz Holdings LLC, a non-debtor entity that is related to LBHI, is a junior preferred investor in this limited liability company and thus may from time to time have interests adverse to the senior preferred investor. The subject matter of any disputes between the entities would be unrelated to anything within the subject matter and scope of the Examiner's investigation and report.

11. None of the matters for which Jenner & Block represents any of the above-mentioned parties are or were related to the Debtors' chapter 11 bankruptcies. In addition, as previously stated in the Initial Declaration and the Supplemental Declarations, Jenner & Block will not represent any client other than the Examiner in any matter in the Chapter 11 Cases.

12. In addition, now that the Examiner has issued his report and his investigation is complete, Jenner & Block anticipates that from time to time the firm may hire contract attorneys,

staff attorneys, associate attorneys, of counsel, or partners who have performed work on behalf of or related to the Debtors, other parties in interest, and/or these Chapter 11 Cases. In such instances, the attorneys will be screened from matters relating to the Examiner's on-going role in these Chapter 11 Cases. For example, one associate who will be starting at the firm in January 2011 briefly worked on a tax matter for the Debtors while a summer associate at another firm in 2009. That associate will be screened from matters relating to the Examiner's on-going role in these Chapter 11 Cases.

13. Pursuant to Bankruptcy Rule 2014, Jenner & Block will provide the Court with any supplemental information regarding Jenner & Block's connections with the Debtors or other parties-in-interest as any such information becomes available.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 12th day of November, 2010, at New York, New York.

/s/ Patrick J. Trostle
Patrick J. Trostle